

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CARPENTER PENSION TRUST,

No. C-13-01063 DMR

Plaintiff(s),

**ORDER DISCHARGING ORDER TO
SHOW CAUSE; REQUIRING FURTHER
MEET AND CONFER**

v.

LINDQUIST FAMILY LLC,

Defendant(s).

On December 13, 2013, Plaintiffs and non-party Lauren Bockmiller filed a joint discovery letter. [Docket No. 31.] On December 27, 2013, this court denied the joint discovery letter without prejudice, as it appeared the parties were still in the process of meeting and conferring, and ordered the parties to further meet and confer and file a joint discovery letter on any remaining disputes by January 9, 2014. [Docket No. 36.] The court also ordered Bockmiller to simultaneously lodge with the court the fifteen documents listed on her privilege log (Docket No. 34) for in camera review if the parties were unable to resolve their disputes. *Id.*

Bockmiller's counsel did not make himself available to meet and confer as the court had ordered. [Docket No. 37.] On January 13, 2014, this court ordered Bockmiller to show cause why her failure to follow the court's orders as described above should not result in a ruling against her. [Docket No. 38.] Another attorney affiliated with Bockmiller's counsel's firm responded to this

1 order to show cause and averred that Bockmiller's counsel came down with an illness beginning on
2 December 24, 2013. [Docket No. 39.] The order to show cause is therefore **discharged**.

3 The parties are ordered to continue to meet and confer about the discovery issues raised in
4 their original joint discovery letter. If the parties are still unable to resolve these issues without
5 court intervention, Bockmiller shall lodge with the court all documents listed on the privilege log in
6 a binder with tabs that correspond to the item number in the privilege log, and shall indicate with
7 highlighting the portions of the documents she is withholding on the basis of privilege by **January**
8 **24, 2014**. The parties shall file a joint discovery letter regarding the remaining discovery issues by
9 **January 31, 2014**. If the parties continue to dispute whether the attorney-client privilege protects
10 information disclosed by members of an LLC to other members, or by the LLC's attorneys to non-
11 managing members of the LLC, any joint discovery letter must fully brief the issue, including by
12 discussing case law on the matter and explaining the management and decisionmaking structure of
13 the Lindquist Family LLC.

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16 IT IS SO ORDERED.

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18 Dated: January 17, 2014

